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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In re	)	No. C 08-00201 JW
)	
COMUNITY LENDING, INCORPORATED, a	)	Honorable James Ware
California corporation,)	
	)	Bankruptcy Case No. 08-50030 (MM)
Debtor.)	
<hr/>	)	Chapter 11
)	
MAI CHRISTINA PHAM, JOHN PHAM, MAI	)	Adv. Proc. No. 08-05006
NGUYEN, HUNG PERRY NGUYEN, and JOYCE)	
FREEMAN,)	
	)	PLAINTIFFS' NOTICE OF MOTION
Plaintiffs,	)	AND MOTION FOR WITHDRAWAL OF
	)	REFERENCE OF ADVERSARY
vs.	)	PROCEEDING
)	
COMUNITY LENDING, INCORPORATED, a	)	Date: April 7, 2008
California corporation, and Does 1 through 10,	)	Time: 9:00 a.m.
inclusive,	)	Courtroom: 8, 4th Floor
)	
Defendants.)	

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT at 9:00 a.m. on April 7, 2008, or as soon thereafter as they may be heard, Plaintiffs Mai Christina Pham, John Pham, Mai Nguyen, Hung Perry Nguyen, and Joyce Freeman (collectively, “Plaintiffs”) will move, and hereby move, the United States

1 District Court for the Northern District of California, San Jose Division (“District Court”) to
 2 withdraw its reference of the above-captioned adversary proceeding to the U.S. Bankruptcy Court
 3 for the Northern District of California, San Jose Division (“Bankruptcy Court”), so that the District
 4 Court may hear and determine the claims that were originally pending before the District Court in
 5 the litigation styled *Pham, et al., v. ComUnity Lending, Inc., et al.*, under Case No. C07-05436 JW
 6 (HRL). Pursuant to Bankruptcy Local Rule 5011-2(a), Plaintiffs filed this Motion in the
 7 Bankruptcy Court, which transmitted the Motion to the District Court. On February 4, 2008, this
 8 Court issued an order relating this action to *Pham, et al., v. ComUnity Lending, Inc., et al.*, under
 9 Case No. C07-05436 JW (HRL).

10 This Motion is based upon 28 U.S.C. § 157(d), Bankruptcy Rule 5011, Bankruptcy Local
 11 Rule 5011-2, the Memorandum of Points and Authorities filed in support hereof, the Declaration of
 12 Ronald S. Kravitz and exhibits attached thereto filed in support hereof, the Verified Complaint,
 13 and all other files and records in this action, and any further oral and documentary evidence that
 14 may be presented at or before the time of the hearing of this Motion.

15 Dated: February 7, 2008

LINER YANKELEVITZ
 SUNSHINE & REGENSTREIF LLP

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 18 By: /s/ Matthew Borden
 Matthew Borden
 Attorneys for Plaintiffs
 Mai Christina Pham, John Pham, Mai
 20 Nguyen, Hung Perry Nguyen, and Joyce
 Freeman